

REMARKS

By this amendment, claims 250, 252, 257, 262, 264-265, 268, 272, 274, 277-279, 282, 287, 289-290, 293, 297, 299, 301, 306, 311, 313-314, 317, and 321 have been amended, and claims 255-256, 266-267, 276, 280-281, 291-292, 304-305, and 315-316 have been canceled without prejudice or disclaimer. Accordingly, claims 250-275 and 277-322 are currently pending in the application, of which claims 250, 262, 274, 287, 299, and 311 are independent claims.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments may be found at least at page 54, line 9 to page 55, line 15 of the specification.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Interview Summary

Applicants thank the Examiner for the courtesies extended during the interview of March 22, 2007. During the interview, Applicants' representative discussed the arguments asserted in the After Final Reply filed on January 3, 2007, and also discussed arguments made in other applications of this patent family.

Rejections Under 35 U.S.C. § 102

Claims 250-252, 254, 258, 259, 262-264, 269, 270, 274-279, 287-289, 294, 295, 299-301, 303, 307, 308, 311-313, 318 and 319 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U. S. Patent No. 5,946,634 issued to Korpela ("Korpela").

In order for a rejection under 35 U.S.C. § 102(e) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(e) rejection improper.

Korpela fails to disclose every limitation this invention. For example, claim 250 as amended recites, *inter alia*:

recognizing an operating type of the core network on the basis of a message comprising an information element identifying the operating type of the core network, ...

wherein the operating type of the core network comprises global system for mobile communications application part (GSM-MAP) or ANSI-41. (emphasis added)

Korpela fails to disclose at least these features. Referring to Fig. 8 and col. 6, lines 15-25 of Korpela, a signal transmitted from the radio access network includes a country identification portion 101, a network identifying portion 103, and a backbone network type code 102. The backbone network type code 102 indicates, at most, "whether the network is, for example, a GSM network, a B-ISDN network, and so on," which is distinct from a core network operating type such as GSM-MAP or ANSI-41. Korpela, col. 6, lines 24-25. Accordingly, Korpela fails to disclose at least these features of claim 250.

Similarly, claim 262 recites, *inter alia*, "detection means for recognizing an operating type of the core network on the basis of a message comprising an information element identifying the operating type of the core network" (emphasis added). Claim 274 recites, *inter alia*, "recognizing an operating type of the core network on the basis of a message comprising an information element identifying the operating type of the core network" (emphasis added). Claim 311 recites, *inter alia*, "detection means for recognizing an operating type of the core

network on the basis of an information element identifying the operating type of the core network in a message” (emphasis added).

For at least the reasons asserted above with respect to claim 250, Korpela fails to disclose that a message contains an “information element identifying the operating type of the core network.” Accordingly, for at least this reason, Korpela fails to disclose every limitation of claims 262, 274, and 311.

Claim 287 recites, *inter alia*, “detection means for recognizing an operating type of the core network on the basis of an information element identifying the operating type of the core network” (emphasis added). Claim 299 recites, *inter alia*, “recognizing an operating type of the core network on the basis of an information element identifying the operating type of the core network” (emphasis added).

For at least the reasons asserted above with respect to claim 250, Korpela fails to disclose “recognizing an operating type of the core network on the basis of an information element identifying the operating type of the core network” (emphasis added). Accordingly, for at least this reason, Korpela fails to disclose every limitation of claims 287 and 299.

Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 250, 262, 274, 287, 299, and 311, and all the claims that depend therefrom are allowable. Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 102(e) of claims 250-252, 254, 258, 259, 262-264, 269, 270, 274-275, 277-279, 287-289, 294, 295, 299-301, 303, 307, 308, 311-313, 318 and 319.

Claim 276 has been canceled, and the rejection thereof is rendered moot.

Rejections Under 35 U.S.C. § 103

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the reference or references, when combined, must disclose or suggest all of the claim limitations. The motivation to modify the prior art and the reasonable expectation of success must both be found in the prior art and not based upon a patent applicant's disclosure. See *in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 253, 265, 277, 278, 290, 302 and 314 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Korpela. Applicants traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 250, 262, 274, 287, 299, and 311 are allowable over Korpela alone. The examiner's purported modification of Korpela fails to cure the deficiencies of Korpela noted above with regard to claims 250, 262, 274, 287, 299, and 311. Hence, claims 253, 265, 277, 278, 290, 302 and 314 are allowable at least because they depend from allowable base claims.

Claims 255-257, 266-268, 272, 280-282, 291-293, 297, 304-306, 315-317, and 321 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Korpela in view of U.S. Patent No. 6,137,806 issued to Martinez ("Martinez"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 250, 262, 274, 287, 299, and 311 are allowable over Korpela. Martinez fails to cure the deficiencies of Korpela noted above with

regard to claims 250, 262, 274, 287, 299, and 311. Hence, claims 257, 268, 272, 282, 293, 297, 306, 317, and 321 are allowable at least because they depend from allowable base claims.

Claims 255-256, 266-267, 280-281, 291-292, 304-305, and 315-316 have been canceled and the rejection thereof is rendered moot.

Claims 255-257, 266-268, 272, 280-282, 291-293, 297, 304-306, 315-317 and 321 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Korpela in view of U.S. Patent No. 6,389,008 issued to Lupien, *et al.* ("Lupien"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 250, 262, 274, 287, 299, and 311 are allowable over Korpela. Lupien fails to cure the deficiencies of Korpela noted above with regard to claims 250, 262, 274, 287, 299, and 311. Hence, claims 257, 268, 272, 282, 293, 297, 306, 317, and 321 are allowable at least because they depend from allowable base claims.

Claims 255-256, 266-267, 280-281, 291-292, 304-305, and 315-316 have been canceled and the rejection thereof is rendered moot.

Claims 260, 261, 271, 273, 285, 286, 296, 298, 309, 310, 320, and 322 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Korpela in view of 3GPP TS 25.331 V3.0.0 (1999-10) ("Specification"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 250, 262, 274, 287, 299, and 311 are allowable over Korpela. The Specification fails to cure the deficiencies of Korpela noted above with regard to claims 250, 262, 274, 287, 299, and 311. Hence, claims 260, 261, 271, 273, 285, 286, 296, 298, 309, 310, 320, and 322 are allowable at least because they depend from allowable base claims.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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